



HAGENS BERMAN
SOBOL SHAPIRO LLP

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September 26, 2006

Via E-Mail

Ms. Lori A. Schechter
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

Re: New England Carpenters v. First DataBank

Dear Lori:

With respect to the deposition notice of Dr. Hartman wherein you notice him for two days, plaintiffs do not agree to waive the 7 hours of Rule 30(d)(2). We do agree to let you take two days to cover this but assume you will be able to get it done in 7 hours. If you are not wasting time or asking questions not covered in the AWP depositions, we will consider extending the 7 hours, but you should not presume this will be the case.

Sincerely,

HAGENS BERMAN SOBOL SHAPIRO LLP

[sent via electronic delivery]

Steve W. Berman

cc: Plaintiffs' Counsel



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